

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

RECEIVED

UNITED STATES OF AMERICA,

Plaintiff,

vs.

EDWARD L. PHILPOT, JR.,

SSN: XXX-XX-2856

Defendant,

and

Midway Storage & Distribution

Garnishee.

JAN 17 2007

U.S. ATTORNEY - SD OH
FLO

CASE NO: CR-1-00-94-03

JUDGE WEBER

07 JAN 29 AM 11:45

JAMES J. WEBER
CLERK

(Amended)
ANSWER OF THE GARNISHEE

Dusan Kinder
(Affiant)

, BEING DULY SWORN DEPOSES AND SAYS:

A. That he/she is the Controller (state official title, relationship, etc.) of
Garnishee, Midway Storage & Distribution.

B. On Jan. 12, 2007, Garnishee was served with the Writ of Continuing
Garnishment. As of this date of service Garnishee has custody, control or possession of
earnings because the Debtor is or was in my/our employ. X Yes SK 1/25 No. (If the
answer is yes, complete items 1 and 2 below): See note below.

1. Debtor's pay period is _____ weekly, _____ bi-weekly, _____ semi-monthly, _____
monthly. Enter the date the present pay period began. _____ ("Present" means the
pay period in which this order and notice of garnishment were served) Enter the date
the above pay period ends. _____

*Note: The debtor is hired to work certain
jobs and is laid off when it is completed.
All wages are paid when debtor is laid off.
We anticipate employing debtor in future.*

2. The amount of the Debtor's net wages are:

- a) Gross Pay _____
 b) Federal Income Tax _____
 c) F.I.C.A. Income Tax _____
 d) State Income Tax _____
 e) Total of tax withholdings _____
 f) Net Wages (total is (a) less total of (e)) _____

C. Have there been, or are there currently, other garnishments in effect? (Including, but not limited to, child support and alimony.) _____ Yes ☒ No.

If the answer is yes, describe below.

D. In addition to earnings, the Garnishee has custody, control or possession of non-earnings property (such as commissions, bank accounts, stocks, etc.) in which the Debtor maintains an interest.

_____ Yes ☒ No (If the answer is yes, describe below)

	<u>Description of Property</u>	<u>Approximate Value</u>	<u>Description of Debtor's Interest in Property</u>
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____

E. Garnishee anticipates owing to the Debtor in the future, the following amounts (non-earnings only):

	<u>Amount</u>	<u>Estimate Date or Period Due</u>
1.	\$ - 0 -	_____
2.	\$ _____	_____
3.	\$ _____	_____
4.	\$ _____	_____

F. Complete items 1 through 3 below, if applicable:

1. The Garnishee makes the following claim of exemption on the part of Debtor as indicated on the Claim for Exemption Form.

2. The Garnishee has the following objections, defenses or set-offs to Plaintiff's right to apply Garnishee's indebtedness to Debtor upon Plaintiff's claim:

3. The Garnishee was not and is not indebted or under liability to the Debtor, and the Garnishee did not or does not have in his/her possession or control any property belonging to the Debtor; or in which the Garnishee has an interest; and is not liable as Garnishee in this action for the following reason(s):

G. The Garnishee delivered or mailed a copy of the original of this Answer by first-class mail to:

(1) Clerk U.S. District Court
U.S. Postoffice & Courthouse, Rm #103
Cincinnati, OH 45202

(2) the Debtor:
Edward L. Philpot, Jr.
704 Gordon Smith Blvd, Apt#11
Hamilton, OH 45013

(3) the attorney for the United States:

Deborah F. Sanders
Assistant United States Attorney
Southern District of Ohio
303 Marconi Boulevard, Suite 200
Columbus, Ohio 43215-2401

Olexa Kindee 513-539-3489
Garnishee & Telephone Number

Subscribe and sworn to before me this 12th day of January, 2007.



Barbara L. Mitchell
BARBARA L. MITCHELL Notary Public
NOTARY PUBLIC, STATE OF OHIO Commission expires: June 17, 2011
MY COMMISSION EXPIRES JUNE 17, 2011